

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

CIVIL CASE NO. 3:09cv262

THIS MATTER is before the Court for the entry of a Preliminary
Scheduling Order.

This case was transferred to this Court on June 29, 2009, from the Southern District of New York. [Doc. 67]. The parties, through their respective local counsel, have contacted the Court's chambers to request that a preliminary scheduling order be entered with respect to the filing of a Consolidated Amended Complaint and for the filing and briefing of the Defendants' Motion to Dismiss.

For good cause shown, **IT IS, THEREFORE, ORDERED** that the parties will proceed in accordance with the following schedule for the filing of the

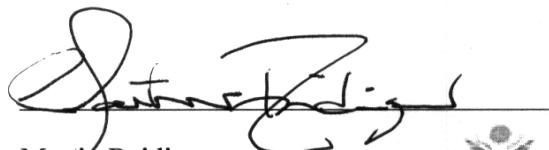
Consolidated Amended Complaint and for the filing and briefing of the Defendants' Motion to Dismiss:

1. Plaintiffs' Consolidated Amended Complaint shall be filed on or before **September 18, 2009**;
2. Defendants' Motion to Dismiss and Brief in Support thereof shall be filed on or before **October 19, 2009**; and
3. Plaintiffs' Opposition to the Defendants' Motion to Dismiss shall be filed on or before **November 19, 2009**.
4. The Court deems a motion ripe for determination upon the timely filing of the response. The filing of a reply brief is allowed only if the response raises new matters, and the reply shall be limited to a discussion only of such newly raised matters. If the Plaintiffs desire to file a reply brief, they should do so expeditiously but in any event no later than **December 18, 2009**.
5. Briefs filed in support of or in opposition to the Motion to Dismiss may not exceed twenty-five (25) pages without prior Court approval. Briefs must be double spaced and in at least 14 point type. The reply brief shall not exceed ten

(10) pages in length and also shall be double spaced and in at least 14 point type. Motions and briefs not in compliance with this Order are subject to being summarily stricken.

IT IS SO ORDERED.

Signed: September 3, 2009



Martin Reidinger
United States District Judge

